

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – S/S St. Lukes Lane,
330' E of the c/l of Paris Road
(2211 St. Lukes Lane)
2nd Election District
4th Councilmanic District

Rising Sun First Baptist Church, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-443-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Rising Sun First Baptist Church, Inc., by Pastor Emmett C. Burns, President, through their attorney, Emerson L. Dorsey, Jr. The Petitioners request a finding, pursuant to the special hearing request, that the proposed addition to the existing church and site improvements comply to the extent possible with the Residential Transition Area (R.T.A.) use requirements set forth in Section 1B01.1.B.g(16). Moreover, the Petitioners request approval of an amendment to the previously approved site plan and Order issued in prior Case No. 87-308-SPH on January 28, 1987, to reflect the proposed improvements/modifications. In addition to the special hearing relief, the Petitioner requests a variance from Section 1B01.2.C.1a of the B.C.Z.R. to permit a front yard setback of 30 feet in lieu of the minimum required 40 feet, a side yard setback of 6 feet in lieu of the minimum required 20 feet, and a rear yard setback of 6 feet in lieu of the minimum required 30 feet for an existing non-residential building in a D.R.5.5 zone. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 3.

Appearing at the requisite hearing held in this case were Robert Nealy, Trustee, and Odessa Doaty, Lewis H. Cook and Gerald R. Howard, all representatives of the Rising Sun First Baptist Church, Inc., owner of the property. Also appearing and testifying were Douglas L.

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Date

By

Kennedy, Professional Engineer who prepared the site plan for this property, and Brian Kelly, Architect, who prepared building elevation drawings of the proposed addition. The Petitioner was represented by Emerson L. Dorsey, Jr., Esquire. Appearing as interested persons/Protestants were McCall R. White, John N. Traynham, Doretha E. Haines, Gerald Jackson, Dorothy King, Brenda and Joseph Willis, Ilene and Tommy Miser, and Zollie D. Bagby.

On behalf of the Petitioner, Mr. Kennedy presented the site plan which shows that the property is an irregular shaped lot, containing approximately 1.84 acres, more or less, split zoned D.R.5.5 (.87 acres) and D.R.3.5 (1.42 acres). A portion of the property fronts St. Lukes Lane, not far from Windsor Mill Road. The property also has frontage on Schissler Avenue, a small residential court. To the east, the property shares a common boundary with the campus of the Woodlawn Middle School. In other directions, the property abuts residential uses. Testimony revealed that the property was the subject of prior zoning Case No. 87-308-SPH in which the Petitioners sought approval for the construction of a 6,000 sq.ft. church building with a seating capacity for 400 individuals. The building was subsequently constructed and presently serves as the home of the congregation of the Rising Sun First Baptist Church, Inc. In addition to this church building, the property also features a separate structure which was described at the hearing as "The White House". This building was apparently at one time a dwelling but is now used by the church primarily for office, storage, and meeting space. The White House building is located on that portion of the site zoned D.R.3.5 and lies immediately adjacent to St. Lukes Lane. In addition to these two structures, the church apparently acquired, in a separate transaction, another lot which immediately abuts the church property. For practical purposes, that lot has been incorporated as part of the church property. The lot is taxed separately and contains a small two-story frame building which was also formerly used as a dwelling. It is presently used for meetings and other church activities.

The Petitioners now come before me seeking consideration of a proposed one-story addition to the church building. Substantial testimony was offered by Messrs. Kelly and Kennedy about the proposed structure, its construction, appearance and use. As shown on the site plan, the

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Date 7/25/97
By [Signature]

proposed addition will be 10,400 sq.ft. in area and will be designed to provide administrative, educational, and social activity space. It is to be noted that the sanctuary will not be enlarged but will remain at its present 400-seat capacity. The proposed addition is merely to provide space for church activities. It was indicated at the hearing that the two dwellings presently being used for church meetings are ill-suited for such purposes and provide insufficient space.

In addition to the church building addition, Mr. Kennedy indicated that the parking lot would be modified. Under the regulations, 67 spaces are required. The proposed parking lot will provide 83 parking spaces, a slight increase from the 78 presently available. Moreover, all access to the parking lot will be by way of entrances off of St. Lukes Lane; there will be no access from Schissler Avenue. Lastly, two additional lights will be provided to illuminate the parking lot.

Mr. Kelly also testified and presented building elevation drawings of the proposed addition. The addition will be but one-story so as to be consistent with the existing church building. Additionally, the building will be constructed of materials and be of an architectural style so as to be compatible with the existing church structure and the surrounding residential neighborhood. It is also to be noted that the White House building will be demolished, in that the proposed addition will serve the space needs presently accommodated by that building.

In addition to the testimony offered by Messrs. Kennedy and Kelly, Mr. Nealy, also testified on behalf of the church. Mr. Nealy is a Trustee and described the Church's mission and space needs. He indicated that there are approximately 500 members of the church and emphasized that the proposed addition is not for the purpose of increasing the size of the congregation, but rather to provide necessary administrative, educational and social activity space. He indicated that the church serves as a meeting place for members and residents who live in the vicinity, including non-members.

A number of individuals appeared in opposition to the request or as interested persons. They raised issues relating to traffic, notification of the public about the hearing, landscaping, lighting, and other similar concerns. They fear that an increase in the church's size could result in an overcrowding of the property and detrimental impacts on the surrounding neighborhood.

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7/28/89
CAG

Upon due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested with restrictions. Turning first to the Petition for Special Hearing, relief shall be granted to permit the proposed addition. In my judgment, the addition fits the proposed building and will not overcrowd the lot or cause inappropriate impacts on the surrounding locale. I am particularly impressed by the fact that the proposed addition is not to provide more seating space. As Mr. Nealy indicated, the church does not anticipate a larger congregation; rather, the requested addition is needed to accommodate the current membership. In my judgment, the proposed building addition and reconfigured parking lot is appropriate.

The variance relief requested relates only to the existing two-story frame building which fronts on Schissler Avenue. The relief requested is necessary under the B.C.Z.R. to legitimize the existing building. That is, this house is very old and does not comply with current setback requirements. Due to the proposed improvements on the property, the requested variance is necessary to bring this building into compliance with current regulations. I shall grant the requested variance; however, in doing so, I shall impose certain restrictions. First, it is to be noted that restrictions were imposed in prior Case No. 87-308-SPH. Those restrictions shall remain valid and are particularly set out on the site plan. Generally, those restrictions regulate the maximum height of the church building (35'), limit and control lighting, require landscaping, and also, restrict parking to the church property and the Woodlawn Middle School parking lot. Those restrictions shall continue in full force and effect. In addition, I shall require that the Petitioner submit a landscape plan for review and approval by the County's Landscape Architect, Avery Harden. The landscape plan shall address a number of issues as follows: First, the landscaping shall be sufficient to adequately screen the church building and parking lot from surrounding residential uses. It is particularly appropriate to require such a screening so as to limit the impact of lights, both from headlights of vehicles and lights from the building, from shining into neighboring residential properties. Additionally, testimony indicated that some church members drive across the curb from Schissler Avenue onto the church property and parking lot. That is, these members use access where there is no curb cut. Thus, landscaping should be installed

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Date 7/28/99
[Signature]

particularly along the Schissler Avenue side of the property to prohibit such a practice. Second, there are particular concerns regarding the most impacted property adjacent to this site, known as 6900 Schissler Avenue and owned by Rudolph and Dorothy King. The church property abuts the King property on two sides. In this regard, the Petitioner should be directed to construct an appropriate fence along the common property line abutting the King property. I will leave it to the discretion of Mr. Harden, with input from the church and the Kings, as to the design of this fence. With adequate landscaping, fencing, and the continuation of the restrictions imposed in the prior case, I am confident that the church can achieve its necessary expansion without detriment to the surrounding locale. Thus, the Petitions shall be granted in accordance with the above.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the special hearing and variance relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of July, 1999 that the Petition for Special Hearing to approve a finding that the proposed addition to the existing church and site improvements, in accordance with Petitioner's Exhibit 3, comply to the extent possible with the Residential Transition Area (R.T.A.) use requirements set forth in Section 1B01.1.B.g(16), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve an amendment to the previously approved site plan and Order issued in prior Case No. 87-308-SPH on January 28, 1987, to reflect the proposed improvements/modifications, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1a of the B.C.Z.R. to permit a front yard setback of 30 feet in lieu of the minimum required 40 feet, a side yard setback of 6 feet in lieu of the minimum required 20 feet, and a rear yard setback of 6 feet in lieu of the minimum required 30 feet for an existing non-residential building in a D.R.5.5 zone, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

OFFICE RECEIVED FOR FILING
JUL 28 1999
2/28/99

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioner shall submit a landscape plan for review and approval by the County's Landscape Architect, Mr. Avery Harden. Said landscape plan shall be sufficient to adequately screen the church building and parking lot from surrounding residential uses. In addition, landscaping should be provided along Schissler Avenue to prevent church goers from driving across the curb onto the church property and parking lot. Lastly, appropriate fencing should be installed along the common property line abutting the King property. I will leave it to the discretion of Mr. Harden, with input from the church and the Kings, as to the design of this fence.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued January 28, 1987 shall remain in full force and effect.

LES:bjs



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner

July 28, 1999

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Emerson L. Dorsey, Jr., Esquire
Blum, Yumkas, Mailman, Gutman, Denick
1200 Mercantile Building, 2 Hopkins Plaza
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
S/S St. Lukes Lane, 330' E of the c/l of Paris Road (2211 St. Lukes Lane)
2nd Election District - 4th Councilmanic District
Rising Sun First Baptist Church, Inc. - Petitioners
Case No. 99-443-SPHA

Dear Mr. Dorsey:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Pastor Emmett C. Burns, President, Rising Sun First Baptist Church, Inc.
2211 St. Lukes Lane, Baltimore, Md. 21207
Mr. Douglas Kennedy, KCW Engineering Technologies, Inc.
3104 Timanus Lane, Suite 101, Baltimore, Md. 21244
Mr. McCall R. White, 3014 St. Lukes Lane, Baltimore, Md. 21207
Mr. John N. Traynham, 6909 Schissler Avenue, Baltimore, Md. 21207
Ms. Doretha Haines, 6907 Schissler Avenue, Baltimore, Md. 21207
Mr. Gerald Jackson, 7103 Minna Road, Baltimore, Md. 21207
Mr. & Mrs. Rudolph King, 6900 Schissler Avenue, Baltimore, Md. 21207
Mr. & Mrs. Joseph Willis, 2133 St. Lukes Lane, Baltimore, Md. 21207
Mr. & Mrs. Tommy Miser, 6903 Schissler Avenue, Baltimore, Md. 21207
Ms. Zollie D. Bagby, 2131 St. Lukes Lane, Baltimore, Md. 21207
Mr. Avery Harden, DPDM; OP; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2211 ST. LUKES LANE
which is presently zoned DR. 5.5 & DR. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE PROPOSED ADDITION TO THE EXISTING CHURCH AND SITE IMPROVEMENTS AS SHOWN ON "PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING." PETITIONER SEEKS RELIEF FROM B.C.Z.R. SECTION 1BD1.1.B.g.(6) IN THAT THE PROPOSED ADDITION IS PLANNED TO COMPLY TO THE EXTENT POSSIBLE WITH THE RESIDENTIAL TRANSITION AREA (R.T.A.) USE REQUIREMENTS AND WILL BE MAINTAINED AND BE COMPATIBLE WITH THE CHARACTER AND GENERAL WELFARE OF THE SURROUNDING RESIDENTIAL PREMISES. PETITIONER ALSO SEEKS TO AMEND THE ORDER OF THE ZONING COMMISSIONER ISSUED IN SPECIAL HEARING CASE NO. 87-308-SPH ON JAN. 28, 1987.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

EMERSON L. DORSEY, JR.

Name - Type or Print

Signature

BLUM, YUMKAS, MAILMAN, GUTMAN, DENICK

Company **1200 MERCANTILE BUILDING**
2 HOPKINS PLAZA 410-385-4007

Address

Telephone No.

BALTIMORE, MARYLAND 21201

City

State

Zip Code

Legal Owner(s):

RISING SUN FIRST BAPTIST CHURCH, INC.

Name - Type or Print

Emmett C. Burns, PRES.

Signature

PASTOR EMMETT C. BURNS, PRES.

Name - Type or Print

Signature

2211 ST. LUKES LANE 410-944-4470

Address

Telephone No.

BALTIMORE, MARYLAND 21207

City

State

Zip Code

Representative to be Contacted:

KCW ENGINEERING TECHNOLOGIES, INC.

DOUGLAS L. KENNEDY, P.E.

Name

3104 TIMANUS LANE, S-101 410-281-0033

Address

Telephone No.

BALTIMORE, MARYLAND 21244

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SPH Date 5-7-99

443

ORDER RECEIVED FOR FILING

Case No. 99-443-SP4A

Date 5/15/98

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2211 ST. LUKES LANE

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1801.2C.1.a. BCZR

FOR NON-RESIDENTIAL PRINCIPAL BUILDING IN A D.R. 5.5 ZONE

1. EXISTING FRONT YARD SETBACK OF 30 FT. IN LIEU OF MIN. REQR. 40 FT.
2. EXISTING SIDE YARD SETBACK OF 6 FT. IN LIEU OF MIN. REQR. 20 FT.
3. EXISTING REAR YARD SETBACK OF 6 FT. IN LIEU OF MIN. REQR. 30 FT.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) HARDSHIP AND PRACTICAL DIFFICULTY

- PRACTICAL DIFFICULTY IN THAT THE BUILDING (FORMERLY *6912 SCHISSLER AVE) IS EXISTING AND DID EXIST WHEN THE CHURCH ACQUIRED THE PROPERTY.
- HARDSHIP IN THAT THE CHURCH WOULD INCUR ECONOMIC LOSSES IF THEY HAD TO DEMOLISH THE BUILDING AND REPLACE IT AT REQUIRED SETBACKS.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

EMERSON L. DORSEY, JR.

Name - Type or Print

Signature

BLUM, YUMKAS, MAILMAN, GUTMAN, DENICK

Company 1200 MERCANTILE BUILDING

2 HOPKINS PLAZA 410-385-4007

Address

Telephone No.

BALTIMORE, MARYLAND 21201

City

State

Zip Code

Legal Owner(s):

RISING SUN FIRST BAPTIST CHURCH, INC.

Name - Type or Print

Emmett C. Burns, PRES.

Signature

PASTOR EMMETT C. BURNS, PRESIDENT

Name - Type or Print

Signature

2211 ST. LUKES LANE 410-944-4470

Address

Telephone No.

BALTIMORE, MARYLAND 21207

City

State

Zip Code

Representative to be Contacted:

KCW ENGINEERING TECHNOLOGIES, INC.

DOUGLAS L. KENNEDY, P.E.

Name

3104 TIMANUS LANE, S-101 410-281-0033

Address

Telephone No.

BALTIMORE, MARYLAND 21244

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JTA Date 5-7-94

443

Case No. 99-443 SPAA

REC 9/15/98

ORDER RECORDED BY FILING
DATE 7/28/00
BY 1690



ZONING DESCRIPTION

RIISING SUN BAPTIST CHURCH
2211 St. Lukes Lane
2ND Election District
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the south side of St. Lukes Lane, said Point of Beginning being situate 330 feet, more or less, east of the intersection of the centerline of St Lukes Lane (60 feet wide) and Paris Road (60 feet wide), and running thence the following courses and distances:

1. South 07 degrees 05 minutes 45 seconds East a distance of 283.20 feet to a point.
2. North 81 degrees 55 minutes 15 seconds West a distance of 111.52 feet to a point.
3. South 08 degrees 04 minutes 45 seconds West a distance of 65.00 feet to a point.
4. North 81 degrees 55 minutes 15 seconds West a distance of 300.00 feet to a point.
5. North 08 degrees 04 minutes 45 seconds East a distance of 65.00 feet to a point.
6. South 81 degrees 55 minutes 15 seconds East a distance of 91.66 feet to a point.
7. North 05 degrees 54 minutes 45 seconds East a distance of 215.51 feet to a point.
8. North 86 degrees 13 minutes 44 seconds East a distance of 330.18 feet to the Point of Beginning.

CONTAINING 99756.64 square feet or 2.29 acres more or less.

A circular notary seal for the State of Maryland, featuring the coat of arms and the name 'WILLIAM KENNETH WOODY'. Overlaid on the seal is a large, stylized signature. Below the signature, the date '5/6/99' is handwritten. To the right of the date, the number '443' is handwritten above the text '99.443.50HA'.

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 443
000000

DATE 5.7.99 ACCOUNT 100000

AMOUNT \$ 500.00

RECEIVED FROM: KC W

FOR: SPECIAL REPORT
COMMUNITY DEVELOPMENT
100000

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECD
PROCESS ACTING CMT
5/07/1999 5/07/1999 11:25:48
REG 10002 CASHIER LEWIS LXS DEANER
Dept 5 52B ZONING VERIFICATION
Receipt # 092374
CR No. 067500

Receipt Tot 500.00
500.00
Balt. 00.00
100.00

99-443-SPHA

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6-10, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6-10, 1999.

THE JEFFERSONIAN,

P. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-443-SPHA

2211 St. Lukes Lane

S/S St. Lukes Lane, 330' E of Paula Road

2nd Election District - 2nd Councilmanic District

Legal Owner(s): Rising Sun First Baptist Church, Inc.

Special Hearing: to approve that the proposed addition is planned to comply to the extent possible within the Residential Transition Area (RTA) use requirements and to amend special hearing case number 870-308-SPH.

Variance: to permit an existing front yard setback of 30 feet in lieu of the minimum required 40 feet; to permit an existing side yard setback of 6 feet in lieu of the minimum required 20 feet; and to permit an existing rear yard setback of 6 feet in lieu of the minimum required 30 feet.

Hearing: Friday, June 25, 1999 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/12/99 June 10

C317811

CERTIFICATE OF POSTING

(X)

RE Case No

99-443-SPHA

Petitioner/Developer RISING SON

BAPTIST CHURCH, ETAL

Date of Hearing/Closing 6/25/99

C/O DOUG KENNEDY

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #2211 - ST. LUKES LA.

The sign(s) were posted on

6/8/99
(Month, Day, Year)

Sincerely,

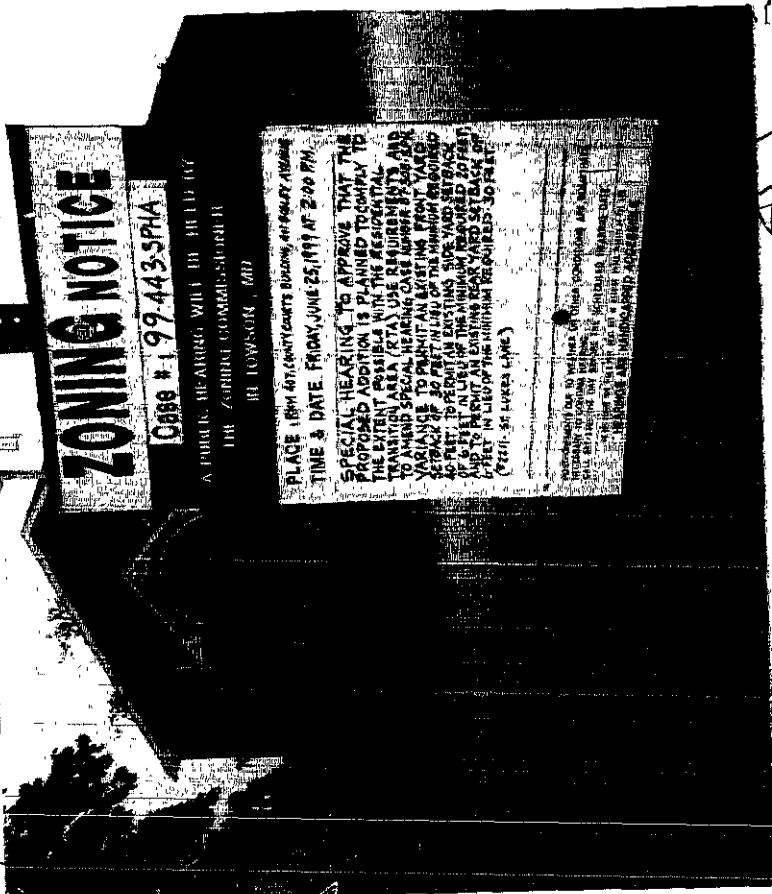
Patrick M. O'Keefe 6/16/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-405-8571
(Telephone Number)





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 27, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-443-SPHA
2211 St. Lukes Lane
S/S St. Lukes Lane, 330' E of Paula Road
2nd Election District – 2nd Councilmanic District
Legal Owner: Rising Sun First Baptist Church, Inc.

Special Hearing to approve that the proposed addition is planned to comply to the extent possible within the Residential Transition Area (RTA) use requirements and to amend special hearing case number 870-308-SPH. Variance to permit an existing front yard setback of 30 feet in lieu of the minimum required 40 feet; to permit an existing side yard setback of 6 feet in lieu of the minimum required 20 feet; and to permit an existing rear yard setback of 6 feet in lieu of the minimum required 30 feet.

HEARING: Friday, June 25, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the number "34" written below it.

Arnold Jablon
Director

c: Emerson L. Dorsey, Jr., Esquire
Rising Sun First Baptist Church, Inc.
KCW Engineering Technologies, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 10, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
June 10, 1999 Issue – Jeffersonian

Please forward billing to:

Douglas Kennedy, PE
KCW Engineering Technologies Inc.
3104 Timanus Lane
Suite 101
Baltimore, MD 21244

410-281-0033

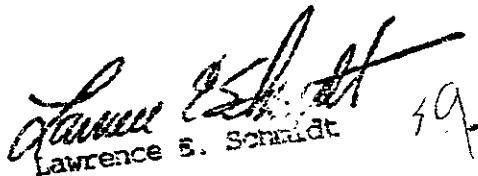
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HEARING: Friday, June 25, 1999 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-443 SPHA
Petitioner: RISING SUN FIRST BAPTIST CHURCH INC
Address or Location: 2211 ST LUKE'S LANE BALT. MD 21207.

PLEASE FORWARD ADVERTISING BILL TO:

Name: K.C.W. ENGINEERING TECHNOLOGIES LLC. (DOUGLAS L. KENNEDY P.E.)
Address: 3104 LUNARUS LANE SUITE 101
BALT. MD. 21244

Telephone Number: 410-281-0033



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 18, 1999

Emerson L. Dorsey, Jr., Esq.
Blum, Yumkas, Mailman, Gutman, Denick
1200 Mercantile Building
2 Hopkins Plaza
Baltimore, MD 21201

RE: Case No.: 99-⁴⁴³445-SPHA
Petitioner: Rising Sun First Baptist
Location: 2211 St. Lukes Lane

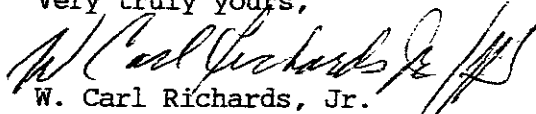
Dear Mr. Dorsey:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

c: KCW Engineering Tech., 3104 Timanus Ln., Ste S-101, Balto. MD 21244

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: June 3, 1999

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
SUBJECT: Zoning Item #443

Rising Sun First Baptist Church - 2211 St. Lukes Lane

Zoning Advisory Committee Meeting of May 24, 1999

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
 - X Development is occurring on both lots for the church. A variance to the Regulations for Forest Conservation can be applied for.
 - X Note #16 is incorrect.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 1, 1999

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Item No. 443

The Bureau of Development Plans Review has reviewed the subject zoning item. Schissler Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and right-of-way both onsite and offsite and the deeding in fee of said right-of-way at no cost to the County. Preparation of all construction, right-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development are also the responsibilities of the Developer.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 23, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 2211 St. Lukes Lane

INFORMATION:

Item Number: 443

Petitioner: Rising Sun First Baptist Church, Inc.

Zoning: DR 3.5 and 5.5

Requested Action: Special Hearing

Summary of Recommendations:

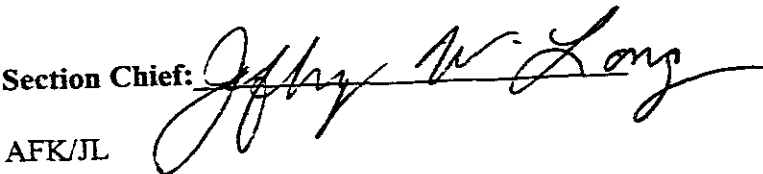
Based upon the information provided and analysis conducted, the Office of Planning offers the following comment:

It is important to note that one portion of the required buffer area is immediately adjacent to a public road; therefore, a significant separation exists between the parking area and the residential properties located along the south side of Schissler Avenue. The landscaped area adjacent to 2207 St. Lukes Lane provides a more than adequate buffer area, and the western area of the site is located next to another institutional property, Woodlawn Middle School.

The requested relief is appropriate and clearly justified given the irregular shape of the subject property. Therefore, the Office of Planning supports the requested Petitions for Special Hearing and Variance.

Section Chief:

AFK/JL





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5-21-99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204


RE: Baltimore County
Item No. 443 J R A

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DOUGLAS L. KENNEDY

Emerson L. Dorsey, Jr.

Odessa Doaty

ROBERT NEALY

BRIAN KELLY

✓ MC CALL R. WHITE

✓ JOHN R. TRAYNHAM

✓ JOYETTA E. HAWES

✓ GERALD JACKSON

✓ MATHY LINDA

✓ MURIEL JOSEPH WILKINSON

✓ GENE & JIMMY MIER

Lewis H. Cook

✓ Follie D. Bagby

2131 ST LUKES LANE 21207

Gerald R Howard

2035 Riding Crop Walk

Balt MD 21244

3104 TIMANAW CR. BALTO. MD 21244
2 Hopkins Plaza, Suite 1200
Baltimore, MD 21201

6730 Valley Creek Dr. 21207

6724 Foxmeadow Rd 21207

2508 N Calvert St 21218

3014 ST. LUKES LA 21207

6909 SCHISLER AVE. 21207

6907 SCHISLER AVE. 21207

7103 MINIX ROAD 21207

6900 Schisler Ave 21207

2133 St. Lukes Lane 21207

6903 Schisler Ave 21207

6612 Marrott Dr 21207

✓ = Protestant

No Mark - Petitioner



3014 St. Lukes Lane
Baltimore, Md 21207-4414

June 21, 1999

County Court Building
Room 407
401 Bosley Avenue
Towson, Maryland 21204

Re: Case #99-443-SPHA

To Whom It May Concern:

We oppose ANY amendments to case number 87-308-SPH. It is our position that, if the proposed additions are approved as proposed by the case in question, they will have a negative impact on our property value. As of this very date, we are coping with an immense amount of traffic resulting from school busses when school is in session, the use of the school property for sports activities from March through October and the traffic that this generates, and the presence of two churches on St. Lukes Lane, opposite each other, that results in parking problems for home owners. Also, emergency vehicles use St. Lukes Lane as the main artery to get from Windsor Mill Road to Liberty Road.

Our opposition stems from the fact that the home owners on St. Lukes Lane face a depreciation of property value as of now, and we will be affected even more, if the any additional construction is approved. Further, the approval of case number 99-443-SPHA will offer no benefits to the home owners living in this immediate area.

Respectfully,

McCell R. White
3014 St. Lukes Ln.

ANN W ROTH

6901 SCHISSLER AVE.

TOMMY M. SER
6903 SCHISSLER AVE

Warren Blackmore
6900 Schissler Ave

DOROTHY E. HAWES

6907 SCHISSLER AVE. #2/207

Zollie D. Bagby
2121 Lukes Lane

JOHN N. TRAYNHAM

6909 SCHISSLER AVE.

Sylvester M. Bell
3012 St. Lukes Ln - 21207

St. Wanda Parker & Lamont Parker
3010 St Lukes Lane 21207

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

June 23
JUN 24

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 23, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 2211 St. Lukes Lane

INFORMATION:

Item Number: 443

Petitioner: Rising Sun First Baptist Church, Inc.

Zoning: DR 3.5 and 5.5

Requested Action: Special Hearing

Summary of Recommendations:

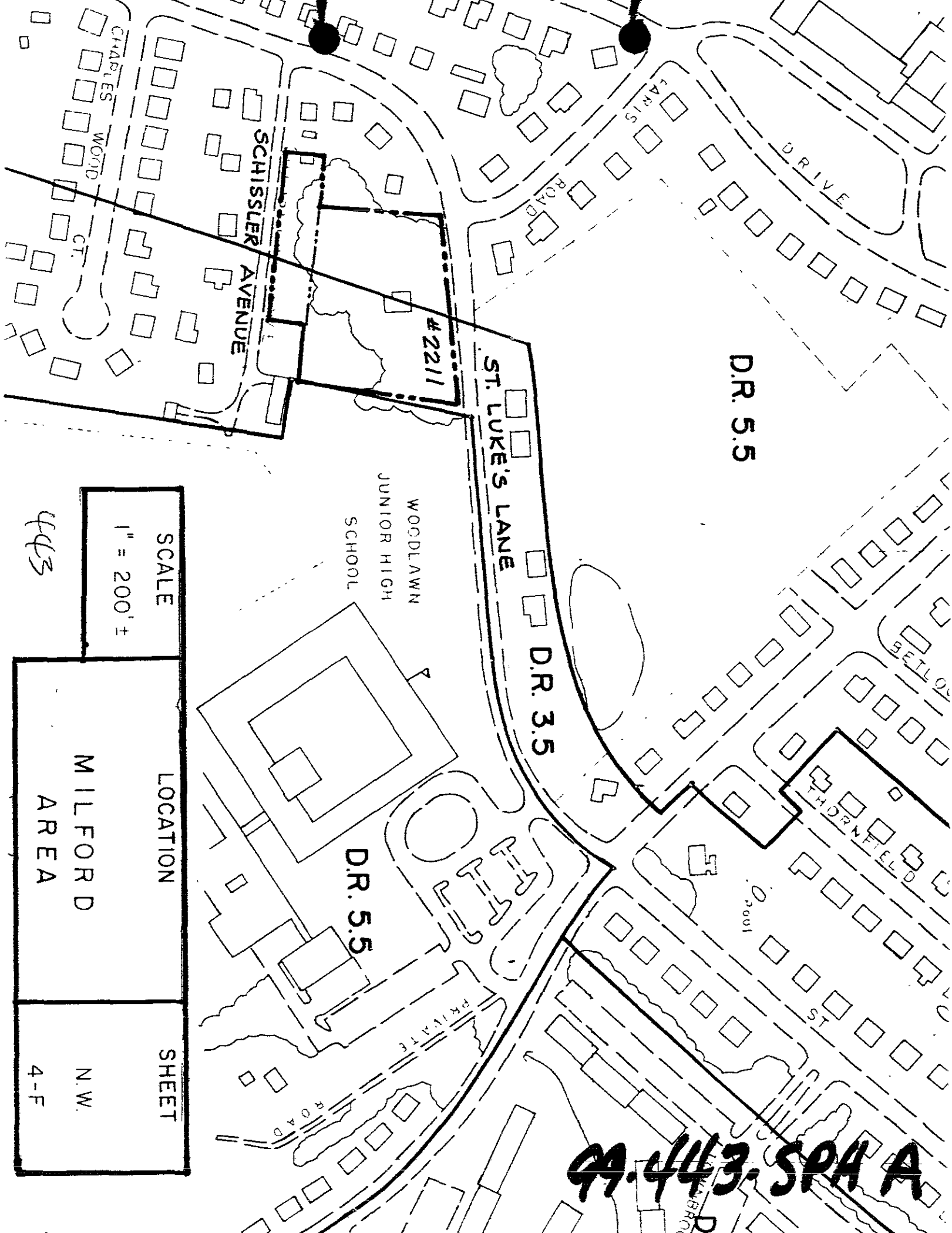
Based upon the information provided and analysis conducted, the Office of Planning offers the following comment:

It is important to note that one portion of the required buffer area is immediately adjacent to a public road; therefore, a significant separation exists between the parking area and the residential properties located along the south side of Schissler Avenue. The landscaped area adjacent to 2207 St. Lukes Lane provides a more than adequate buffer area, and the western area of the site is located next to another institutional property, Woodlawn Middle School.

The requested relief is appropriate and clearly justified given the irregular shape of the subject property. Therefore, the Office of Planning supports the requested Petitions for Special Hearing and Variance.

Section Chief: *Jeffrey W. Long*

AFK/JL



SCALE	LOCATION	SHEET
1" = 200' ±	MILFORD AREA	N.W. 4-F

443

99.443. SPA A

PARIS ROAD

"WOODMOOR ESTATES"
S.D. 10-91
G.L.B. 20-91

"ST. LUKES ESTATES"
E.H.K. Jr. 54-11

ST. LUKE'S LANE

Board of Education of Baltimore County
Woodlawn Middle School

ST. LUKES LANE

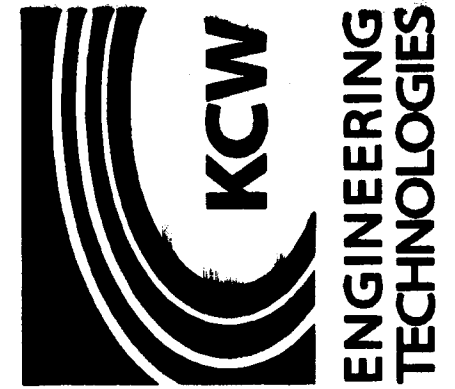
SCHISLER AVENUE

LEGEND

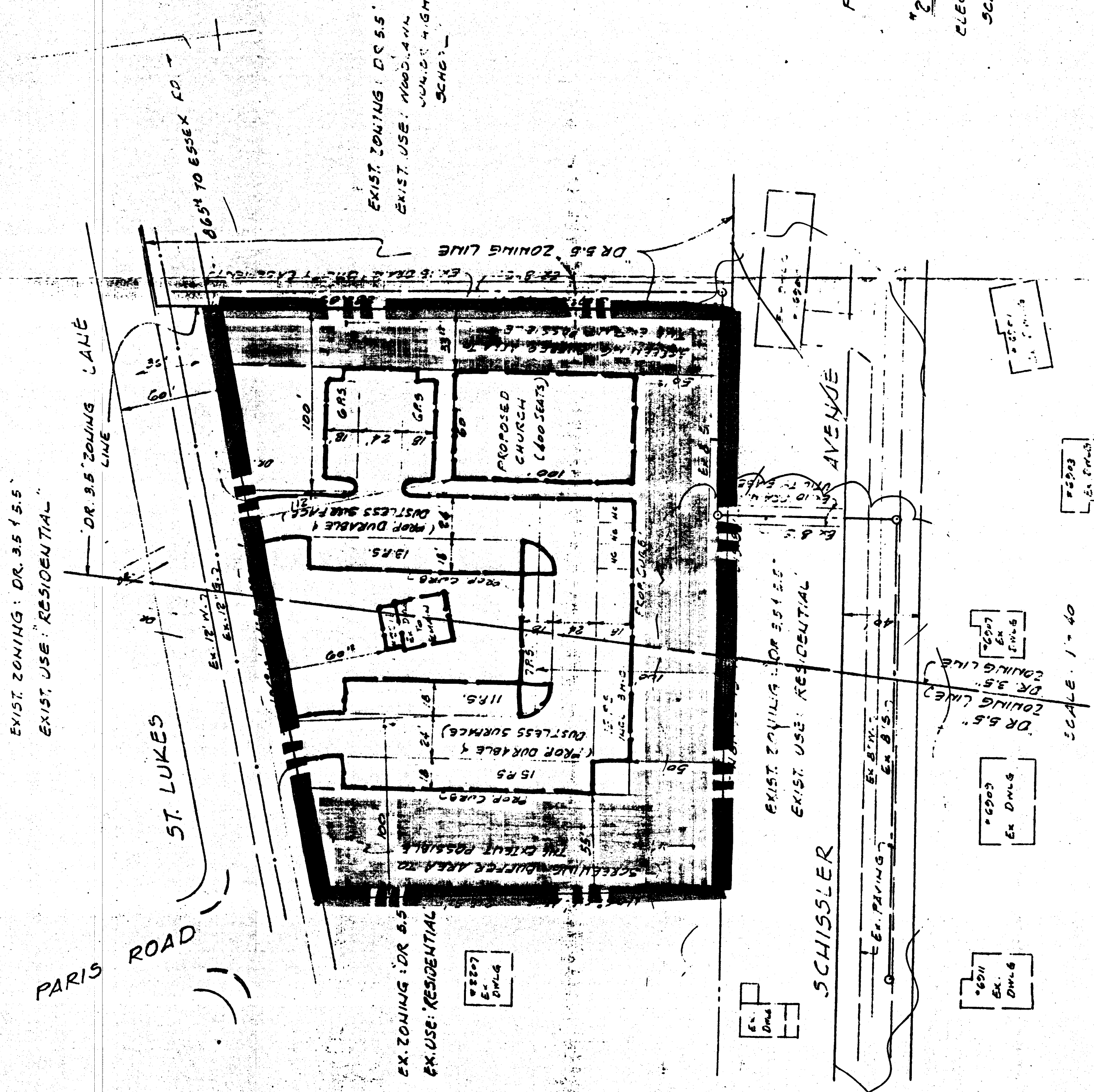
- Trees and Shrubs
- Existing Worship Center
- Proposed Building Addition
- Driveway and Parking Area

BUILDING and PARKING ADDITIONS
TO
RISING SUN FIRST BAPTIST CHURCH
2211 St. LUKES LANE
BALTIMORE COUNTY, MARYLAND
Scale: 1" = 30' February 24, 1999

KCW Engineering Technologies, Inc.
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
(410) 281-0033
Fax (410) 281-1065
www.KCW-ET.com



PA. G. H. #4



1. TOTAL AREA OF SITE = 1.65 A.C.
2. EXIST. ZONING OF SITE = DR 35.5 L.S.
3. EXIST. USE OF SITE = RESIDENTIAL "
4. PROP. ZONING OF SITE = DR 35.5 L.S.
5. PROP. USE OF SITE = RISING SUN BAPTIST CHURCH
6. REQUIRED PARKING SPACES:
NO. OF SEATS = 400 (MRS. GUESTS = 67 PS
7. NUMBER OF PARKING SPACES SHOWN = 73 PS. (NO. SAC
8. PETITIONER REQUESTING SPECIAL HEARING TO SECT.
1801.116 OF THE ZONING REGULATIONS TO SECT.
SHOW COMPLIANCE TO PERMIT POSSIBLE WITH
THE RTA USE REQUIREMENT -
2. FUEL C.T. LINES EXISTING TO SITE

17. IX. #1

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING
"2211 ST. LUKES LANE"
ELECT. DIST. 2 BALTIMORE COUNTY, MD.
SCALE: 1"=40' MAY 28, 1986

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DEMOLITION NOTES

1. Existing 3-story frame building shall be razed.
2. Obtain necessary permits from Baltimore County.
3. Coordinate with Baltimore Gas and Electric Company for their removal of existing transformer located at the site.
4. Abandon existing water service at the main and return meter to Baltimore City Water Maintenance Division.
5. d. Remove 10' x 10' x 6" concrete pad, 15 ft. from connection to manhole. Plug several ends of pipe.
6. Break up basement floor to allow for drainage. Remove foundation material and compact with suitable material to meet AASHTO T-99 density.
7. Compact to 93% of AASHTO T-99 density.
8. Remove all demolition debris from this site.
9. Remove existing parking lot bituminous paving, curbs and sidewalks for the limits delineated on this plan.
10. Remove existing storm drain inlet and pipe from inlet to manhole.
11. Remove existing parking lot lighting fixtures and salvage for re-use.
12. Remove trees and shrubs designated to be removed.
13. Remove existing sidewalk and curb along the street frontage.
14. Coordinate with Baltimore Gas and Electric Company for removal of the existing transformer for the Church Building and installation of new electric transformer and service.
15. Coordinate with Ball Atlantic - Maryland for their abandonment of existing service and installation of new service.
16. Obtain necessary permits from Baltimore County.
17. Obtain necessary permits from Baltimore County.

EXISTING CONDITIONS AND DEMOLITION PLAN

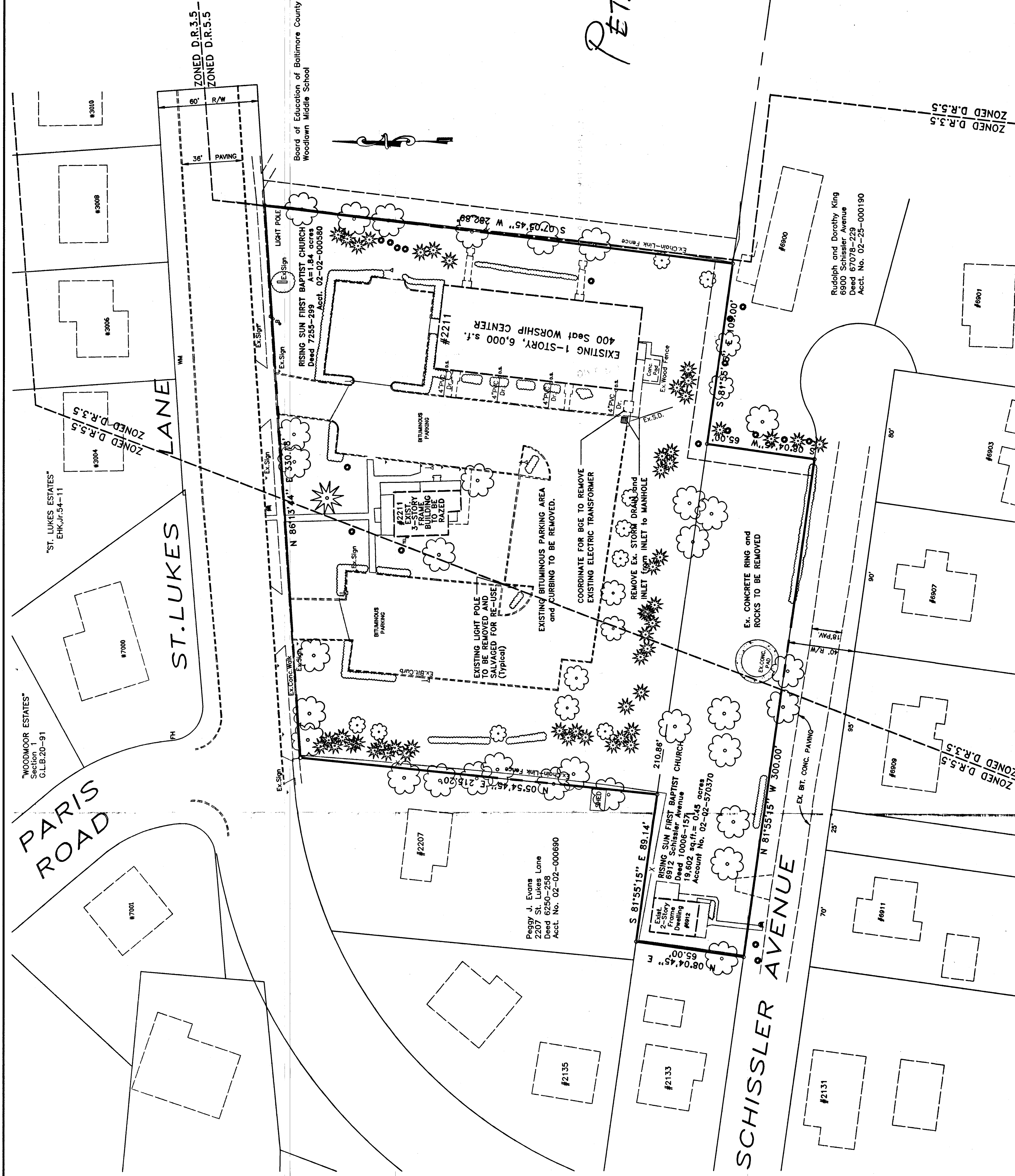
BUILDING AND PARKING ADDITIONS TO


RIISING SUN FIRST BAPTIST CHURCH

#2211 ST. LUKES LANE

2nd ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

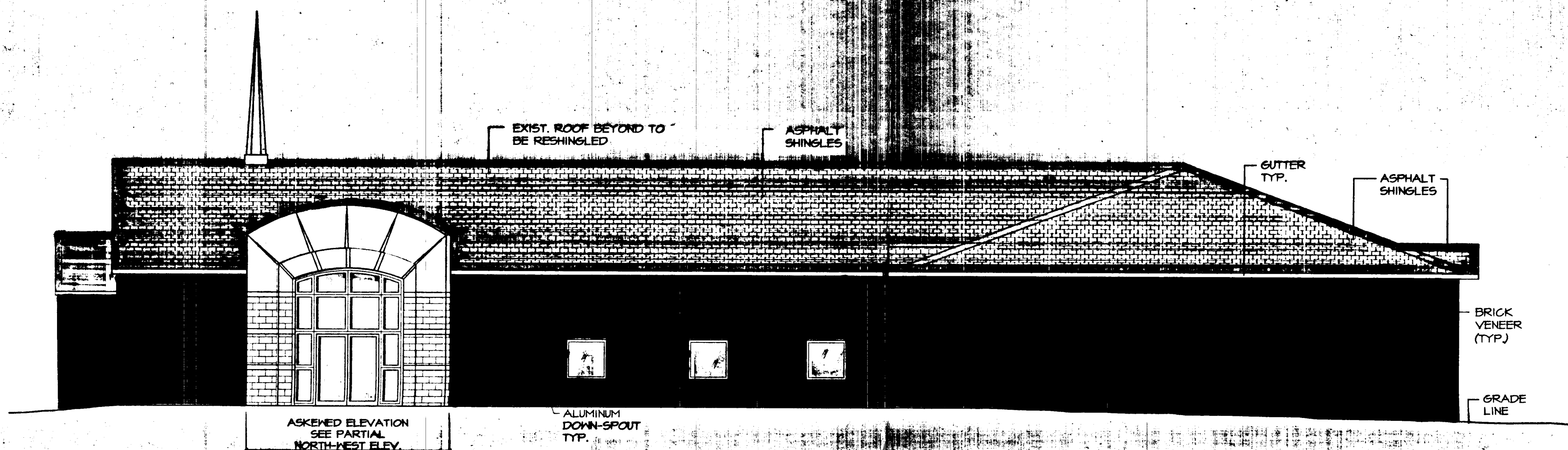


 KCW ENGINEERING TECHNOLOGIES	KCW Engineering Technologies, Inc. 3104 Timanus Lane, Suite 101 Baltimore, MD 21244 (410) 281-0033 Fax (410) 281-1065 www.KCW-ET.com		LIST of DRAWINGS: C-100 ZONING SPECIAL HEARING PLAT C-101 SITE DEVELOPMENT/GRADING PLAN C-102 EXISTING CONDITIONS/DEMOLITION C-103 PROFILES and DETAILS C-104 SEDIMENT CONTROL PLAN C-105 SEDIMENT CONTROL DETAIL		OWNER: RIISING SUN FIRST BAPTIST CHURCH #2211 St. Lukes Lane Baltimore, Maryland 21207 Attn: Pastor Emmett C. Burns Tele: 410-944-4470		REVISIONS		KCW J.O. 98638 SCALE: 1" = 30' DATE: Mar. 1, 1999 DESIGNED: RD / DLK DRAWN: Cadd CHECKED: DLK DRAWING NO.: C-102



NORTH ELEVATION

PET. EX. #5



WEST ELEVATION



SOUTH ELEVATION

PET. EX. #5

BUILDING ELEVATIONS

SCALE: 1/8" = 1'-0"

RISEING SUN FIRST BAPTIST CHURCH

NEW CHRISTIAN FELLOWSHIP CENTER

2211 ST. LUKES LANE

BALTIMORE, MARYLAND

KCM Architects



Established 1953
Master Planning Interior Design
Historic Preservation
Design/Build
2508 North Carroll Street
Baltimore, Maryland 21218
410-689-2613
Fax 410-689-4318